

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,) Case No. 7:19-cv-00354
)
)
v.)
)
SOUTHERN COAL CORPORATION;)
A & G COAL CORPORATION;)
JUSTICE COAL OF ALABAMA LLC;)
BLACK RIVER COAL LLC;)
CHESTNUT LAND HOLDINGS LLC;)
DOUBLE BONUS COAL COMPANY;)
DYNAMIC ENERGY INC.; FOUR)
STAR RESOURCES LLC; FRONTIER)
COAL COMPANY, INC.; INFINITY)
ENERGY INC.; JUSTICE ENERGY)
COMPANY, INC.; JUSTICE)
HIGHWALL MINING, INC.;)
KENTUCKY FUEL CORP.,)
KEYSTONE SERVICES INDUSTRIES)
INC.; M & P SERVICES, INC.; NINE)
MILE MINING COMPANY, INC.;)
NUFAC MINING COMPANY, INC.;)
PAY CAR MINING INC.; PREMIUM)
COAL COMPANY, INC.; S AND H)
MINING, INC.; SEQUOIA ENERGY,)
LLC; TAMS MANAGEMENT, INC.;)
VIRGINIA FUEL CORP.,)
)
Defendants.)

RESPONSE TO MOTION TO COMPEL COMPLIANCE WITH CONSENT DECREE

On March 31, 2022, the United States moved to compel compliance with the terms of the Consent Decree. [ECF No. 45]. The United States requested that the Defendants “immediately

pay \$102,442.00 for their March 2022 installment.” The Defendants have now paid the March 2022 installment and this payment renders the sole relief requested by the United States moot. Accordingly, the Defendants respectfully request that the Court deny the Motion to Compel Compliance and for such other and further relief as the Court deems necessary under the circumstances.

Respectfully submitted,

SOUTHERN COAL COMPANY, et al.

By: /s/ Aaron Balla Houchens
Of Counsel

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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this 4th of April 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and the foregoing was electronically transmitted through the CM/ECF system to the following CM/ECF participants:

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